

**IDAHO BOARD OF CHIROPRACTIC PHYSICIANS**  
**Division of Occupational and Professional Licenses**  
P.O. Box 83720  
Boise, ID 83720-0063

**Conference Call Minutes of 7/17/2020**

**BOARD MEMBERS PRESENT:** Herbert W Oliver, D.C. - Chair  
Lynn A Hansen, D.C.  
Shannon Gaertner-Ewing, D.C.  
Craig J Manning, D.C.

**BOARD MEMBERS ABSENT:** Cathy Hart

**DIVISION STAFF:** Susan Buxton, Division Administrator  
Dawn Hall, Deputy Division Administrator  
Julie Eavenson, Licensing Group Manager  
Lori Peel, Investigative Unit Manager  
Nicholas Krema, General Counsel  
Rob McQuade, Legal Counsel  
Greg Floyd, Financial Unit Manager  
Debbie Toncray, Board Specialist

**OTHERS PRESENT:** Caroline Merritt, Idaho Association of  
Chiropractic Physicians

The meeting was called to order at 2:00 PM MDT by Herbert W Oliver, DC.

Ms. Hall introduced Mr. Floyd as the new Financial Unit Manager.

**APPROVAL OF MINUTES**

Dr. Hansen made a motion to approve the minutes of 3/13/2020. It was seconded by Dr. Gaertner-Ewing. Motion carried.

Dr. Gaertner-Ewing made a motion to approve the minutes of 5/8/2020. It was seconded by Dr. Manning. Motion carried.

**COMPLAINT MEMORANDUM**

Ms. Peel gave the investigative report, which is linked above.

**DISCIPLINE**

Dr. Manning made a motion to close case number I-CHI-2020-9. It was seconded by Dr. Hansen. Motion carried.

## **LAWS AND RULES**

Mr. McQuade reviewed the proposed pending rules with the Board. Dr. Hansen made a motion to approve and publish the proposed pending rules in the September 2020 bulletin. It was seconded by Dr. Manning. Motion carried.

Mr. McQuade reviewed the proposed fees with the Board. Dr. Gaertner-Ewing made a motion to approve and include the proposed fees in the September 2020 bulletin. It was seconded by Dr. Hansen. Motion carried.

## **FINANCIAL REPORT**

Mr. Floyd gave the financial report, which indicated that the Board had a cash balance of (\$70,632.27) as of 6/30/2020.

## **DIVISION BUSINESS – BOARD CONTRACT**

Mr. Crema and Mr. Floyd reviewed the 2021 contract with the Board. Dr. Gaertner-Ewing made a motion to approve and authorize the Board chair to sign the contract. It was seconded by Dr. Manning. Motion carried.

## **BOARD BUSINESS**

### **DISCUSSION: CLINICAL NUTRITION CERTIFICATION**

The Board reviewed the request from Dr. Perkins regarding the face-to-face requirement for the recertification course for clinical nutrition registration holders. Dr. Manning made a motion to waive the face-to-face requirement for the course for recertification in clinical nutrition. There was no second. Motion failed.

Dr. Hansen made a motion to waive the current face-to-face/in-person course requirement on a case-by-case basis for the recertification in clinical nutrition in Rule 706 for the duration of the national or state COVID-19 emergency pandemic, to allow for completion of an online recertification course during this time, and to have Division staff send this information to all licensees with a clinical nutrition certification. It was seconded by Dr. Gaertner-Ewing. Dr. Manning asked about the request of permanently removing the requirement to have clinical nutrition certificate holders attend a face-to-face recertification course and changing it to an online course. The Board agreed to add this to the To Do List for future discussion. Motion carried.

Ms. Eavenson addressed the issue of the timing of the required recertification course to be taken by holders of clinical nutrition certification. She said there is not any holder of a clinical nutrition certificate that must take the recertification course this year. Dr. Manning made a motion to respond to Dr. Perkins' inquiry about the timing of the recertification course and let him know he would have three and a half years from the date of initial clinical nutrition certification. The Board discussed the timing of recertification and the administrative procedures for ensuring each holder of clinical nutrition certification would complete the required course in accordance with the laws and rules. There was no second. Motion failed.

Dr. Hansen made a motion to clarify that the recertification requirement needed to be completed prior to the third renewal of a clinical nutrition certification. There was no second. Motion failed.

Dr. Manning made a motion to clarify the timing of the recertification requirement for clinical nutrition certification holders to be three years from the initial certification. There was no second. Motion failed.

Dr. Manning made a motion to clarify the timing of the recertification requirement for clinical nutrition certification holders to be upon the third renewal, and the certification holder would be required to submit the documentation of the completed recertification course. It was seconded by Dr. Hansen. Motion carried.

## **FCLB DISTRICT MEETING**

The Board discussed the invitation and application for a sponsorship from the Federation of Chiropractic Licensing Boards (FCLB) to attend the 2020 district meeting in Lake Tahoe, Nevada. Ms. Hall discussed the current mandated travel restrictions due to the COVID-19 emergency pandemic. The Board agreed that Dr. Oliver, Dr. Hansen, and Mr. Krema would complete the application for sponsorship to attend the meeting. Ms. Hall reminded the Board that Division staff is not traveling due to COVID-19. Dr. Oliver asked Ms. Toncray to complete the sponsorship applications for Dr. Oliver and Dr. Hansen and submit them to the FCLB.

## **CORRESPONDENCE**

The Board reviewed correspondence from the Council on Chiropractic Education (CCE) regarding nominations for open seats on the CCE. The Board took no action.

## **EXECUTIVE SESSION**

Dr. Gaertner-Ewing made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to consider documents relating to the fitness of an applicant to be granted a license or registration. It was seconded by Dr. Manning. The vote was: Dr. Oliver, aye; Dr. Hansen, aye; Dr. Gaertner-Ewing, aye; and Dr. Manning, aye. Motion carried.

Dr. Gaertner-Ewing made a motion to come out of executive session. It was seconded by Dr. Hansen. Motion carried.

## **APPLICATIONS**

Dr. Gaertner-Ewing made a motion to approve the following for licensure:

DCA-2027	Morgan Bullard, D.C.
DCA-2032	William Amalu, D.C.
DCA-2035	Nicholas Peck, D.C.

It was seconded by Dr. Manning. Motion carried.

Dr. Gaertner-Ewing made a motion to deny the following based on Rule 100.01.b:

Henry Press

It was seconded by Dr. Hansen. Motion carried.

### **WAIVER REQUEST**

The Board reviewed a request for waiver of completion of continuing education for this year's renewal due to cancellation of a course because of the COVID-19 emergency. Dr. Gaertner-Ewing made a motion to approve the waiver request for the following licensee.

Dr. Collin Struble

It was seconded by Dr. Hansen. Motion carried.

### **CE COURSES**

The Board reviewed and approved the following continuing education course:

**RECESSION PROOF AND THRIVE -- HOW TO READ AND TREAT BASED ON  
BLOODWORK**  
OPTIMAL HEALTH SYSTEMS LLC

**NEXT MEETING** was scheduled for October 16, 2020 at 2:00 PM MDT.

### **ADJOURNMENT**

Dr. Manning made a motion to adjourn the meeting at 4:16 PM MDT. It was seconded by Dr. Hansen. Motion carried.

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Herbert W Oliver, D.C., Chair